

REMARKS

Claims 10, 11, 14, and 15 have been amended. Claims 1-9 were withdrawn in an election on 4/9/2004. Claims 10-16 remain in the application. Additionally this amendment is part of a Request for Continued Examination in accordance with 37CFR 1.114 (filed on 3/17/05). As such, reexamination and reconsideration of the application as amended are respectfully requested. The Examiner's comments are shown in bold.

§ 112, first paragraph

3. Claims 10-16 are rejected under 35 U.S.C. 112, first paragraph, because the specification, which being enabling for a method for detecting human blood using labeled anti-Hb antibodies which are captured and detected, does not reasonably provide enablement for labeled anti-Hb antibody in which the label is released from the antibody thereby providing a visual indication. . .

A discussion between the Examiner, the Applicant, the Applicant's representative (Sushil), and the undersigned took place on March 1st 2005. The discussion centered upon the technical mechanism whereby labels produce color in assay tests. No agreement was reached regarding the technical mechanism, however it was resolved that if the wording of the claims were changed to eliminate the phrase "releasing the labels", the 35 USC 112 rejection would no longer apply. In this amendment the term "releasing the labels" has been so removed from Claims 10 and 14.

A fee of \$60 is included for a one month extension.

This amendment comprises an attachment to a Request for Continued Examination (RCE) under 37CFR 1.114.

In view of the above, Applicant respectfully requests allowance of all the claims remaining in the application.

Respectfully submitted,



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